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**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR CONTROLLING PROCESSING IN A DISTRIBUTED SYSTEM; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application No.: **10/345,504**

Filing Date: **January 16, 2003**

Status: **Pending**

Application No.: **10/345,811**

Filing Date: **January 16, 2003**

Status: **Pending**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of sole inventor: **Cary A. Jardin**

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

**03-17-04**

Residence: **12662 Sabre View Cove, San Diego, CA 92128**

Citizenship: **US**

Post Office Address: **Same as Above**

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Send Correspondence To:

**KNOBBE, MARTENS, OLSON & BEAR, LLP**

**Customer No. 20,995**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|           |   |                             |   |
|-----------|---|-----------------------------|---|
| Applicant | : | Jardin, Cary A.             | ) |
|           |   |                             | ) |
| App. No.  | : | Unassigned                  | ) |
|           |   |                             | ) |
| Filed     | : | Filed Herewith              | ) |
|           |   |                             | ) |
| For       | : | SYSTEM AND METHOD FOR       | ) |
|           |   | CONTROLLING PROCESSING IN A | ) |
|           |   | DISTRIBUTED SYSTEM          | ) |
|           |   |                             | ) |
| Examiner  | : | Unassigned                  | ) |
|           |   |                             | ) |

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer**


**App. No.** : Unassigned  
**Filed** : Filed Herewith

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

XPrime, Inc.

Dated: 03-17-04

By:   
Cary A. Jardin

Title: Chief Executive Officer

Address: 12568 Kirkham Court, Poway, CA 92064

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